

# BEST AVAILABLE COPY

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property  
Organization  
International Bureau



(43) International Publication Date  
22 January 2004 (22.01.2004)

PCT

(10) International Publication Number  
WO 2004/006973 A1

(51) International Patent Classification<sup>7</sup>: A61L 27/14, 27/44, 27/58, C08J 9/04

(21) International Application Number:  
PCT/US2003/021054

(22) International Filing Date: 3 July 2003 (03.07.2003)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:  
10/190,249 6 July 2002 (06.07.2002) US  
10/222,593 15 August 2002 (15.08.2002) US

(71) Applicant: KENSEY NASH CORPORATION  
[US/US]; 55 East Uwchlan Avenue, Exton, PA 19341  
(US).

(72) Inventors: EVANS, Douglas, G.; 202 Foxtail Lane, Downingtown, PA 19335 (US). KELLY, Jeffrey, C.; 305 North Dupont Road, Wilmington, DE 19804 (US). DEWITT, Todd, M.; 3702 Coventryville Road, Pottstown, PA 19465 (US).

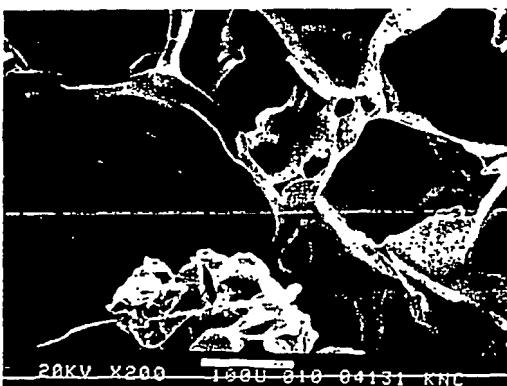
(74) Agent: RAMBERG, Jeffrey, R.; Kensey Nash Corporation, 55 East Uwchlan Avenue, Exton, PA 19341 (US).

(81) Designated States (national): AT, AU, CA, JP.

(84) Designated States (regional): European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR).

Published:  
— with international search report

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.



(54) Title: RESORBABLE STRUCTURE FOR TREATING AND HEALING OF TISSUE DEFECTS

(57) Abstract: Devices and processes (e.g., improved Plasticized Melt Flow processes (PMF) or improved Phase Separation Polymer Concentration (PSPC), etc.) used to make resorbable and non-resorbable structures for treating and/or healing of tissue defects are disclosed. Among the advantages of using these improved processes are the preservation of molecular weight and the broadening of the processing conditions for temperature sensitive polymers and therapies (e.g. polylactide, polyglycolide, polycaprolactone or Cisplatin, etc.). This reduction in processing temperature, pressure and time can help to preserve the molecular weight and/or integrity of the final product or any additive incorporated therein. Additionally, pore size and shape tailoring can increase the osteoconductive nature of the device.

**RESORBABLE STRUCTURE FOR  
TREATING AND HEALING OF TISSUE DEFECTS**

**TECHNICAL FIELD**

5

The present invention relates to improved devices and processes used to make resorbable and non-resorbable structures for treating and/or healing of tissue defects. The resorbable and non-resorbable structures further involve an improved porous implant wherein the pores of the implant present a second modeling material on their surfaces.

10

**BACKGROUND ART**

Tissue defects are sometimes repaired with porous scaffolds comprising biocompatible materials. The porous nature of the devices allows the inward migration of cells, followed by 15 the in-growth of tissue, thereby repairing the defect. The pore structure must be controlled to ensure optimal inward cell migration (e.g., sized large enough to accommodate cells, and avoid altering the cell phenotype), from which the new tissue may form. Current devices do not adequately control pore geometry, size, and distribution, with processes that are economically attractive. Additionally, open porous networks facilitate cell migration throughout the implant, 20 thereby speeding up regeneration. Also, mechanical properties of existing porous structures are less than desirable for applications where the implant is subjected to post implant stresses. The porous nature also minimizes the amount of foreign material placed into the patient.

Most processes for producing porous biomaterial implants utilize a leaching method wherein a 25 leachable substance such as sodium chloride is mixed with a biomaterial such as polymethylmethacrylate (PMMA) and later removed with a solvent such as water. United States Patent Numbers 4,199,864 (Ashman), 4,636,526, (Dorman et al), and 5,766,618 (Laurencin et al), describe such methods. Such leaching methods are time consuming and in many instances only a portion of the leachable substance is effectively removed from the 30 implant.

Other processes for creating porous medical implants utilize a vacuum freezing operation as described in United States Patent Numbers 6,306,424 (Vyakarnam, et al), 5,766,618

(Laurencin et al), and 5,133,755 (Brekke). These processes are not generally suited to mass production and often utilize non-biocompatible solvents.

A “plasticized melt-flow” process (PMF) has been developed, in an effort to increase the 5 strength, and reduce costs, of molded polymeric parts. Such a process is described in United States Patents 6,169,122 (Blizard et al) and 6,231,942 (Blizard et al) and by David Pierick and Kai Jacobsen, “Injection Molding Innovation: The Microcellular Foam Process,” Plastics Engineering, May 2001, pp 46-51(such disclosures being incorporated herein by reference). In general, such a process uses a gas (e.g., N<sub>2</sub>, or CO<sub>2</sub>) under high pressures to create a 10 supercritical fluid (SCF). The SCF, when depressurized, liberates the gas, thereby creating a porous structure.

The pores in the PMF processes noted above are nucleated by nucleating agents which are added in the range of 2 to 7 percent. As a result the pores may be more homogeneously 15 dispersed through the molded part, than pores seen in other processing methods known in the art. The Pierick-Jacobsen paper reports that the aim of this technology is reducing costs, through the reduction of polymer used and decreasing cycle time, i.e., nucleating agent takes the place of matrix polymer, thereby reducing the amount of polymer needed.

20 The process is proposed for use in various industrial components (e.g., car mirror housings, ink and Laserjet printer parts), no medical applications, procedures, or devices are disclosed.

A CESP process (Controlled Expansion of Saturated Polymers), however, has been contemplated for use in manufacturing implantable polymer structures by Pfannschmidt, et al, 25 “Production of Drug-Releasing Resorbable Polymer Stents with Foam Structure”, Medical Plastics Technology News, Fall 1999-Winter 1999-2000, pp10-12. The focus of the paper is the use of CESP for the incorporation of “thermally sensitive additives.” These additives are suggested to include proteins and growth factors. The devices proposed to deliver these additives are stents. No structural or load-bearing applications are disclosed. In fact, the focus 30 of the invention is the low temperature processability of the invention, however, the resulting process is not readily mass producible.

The CESP may be useful for the delivery of those agents because of the low temperature employed in the CESP process; that is, as previously mentioned, the temperature is not raised

to create flow, but rather the pressure is. Therefore, additives may be used that would not survive the temperature of traditional high-temperature molding techniques. However, the CESP process additionally does not adequately address the problem of satisfactory tissue ingrowth or regeneration.

5

The need for higher strengths in porous polymers has previously been recognized, as in U.S. Patent Number 6,169,122 (Blizard, et al), where the process is controlled to minimize the cell (i.e., porosity) growth. The aim of the invention is to create homogeneously distributed pores, of a small size (i.e., preferably below 50 microns). To this end, nucleation aids (e.g., talc and 10 titania) are added to the polymer, in an effort to nucleate a larger number of pores during the decompression step (as previously described). However, this paper does not contemplate the problem of satisfactory tissue ingrowth or regeneration, since it strives to create pores that may not be of suitable size to cause effective cellular differentiation and reproduction.

15 These approaches to utilizing PMF and CESP types of processes for creating porous polymers, for the repair of tissue, would fall short of what is needed in existing surgical procedures. Higher strengths are paramount for implants that may need to withstand any loading following implant; additionally, some implant products (e.g., screws) require continuing strength to withstand the procedural stress. However, proper cell migration into the implant structure, in 20 most cases, require pores on the order of 100 to 250 microns. Therefore, decreasing the pore size below about 100 microns—while increasing strength—could actually prohibit proper cell ingress.

Additionally, talc or titania nucleation aids may not be suited for certain cellular environments, 25 and may further deter cell ingress, or damage or alter normal cellular function and differentiation if such cells were to infiltrate the implant.

The PMF and CESP processes, as disclosed above, creates pores that typically do not communicate with each other. This isolation slows and potentially prevents the continued 30 ingress of cells, through the entire implant cross section, which may delay tissue development, and/or restrict tissue development to the regions at or near the surface of the implant.

Additionally, the closed cell pores of the PMF process do not address the concerns of heterogeneous degradation that occur in massive biodegradable implants. Hydrolysis is not an

erosion phenomenon for most biodegradable polymers, but is, instead, a bulk process with random hydrolytic scission of covalent ester bonds. The correlation of in vivo and in vitro rates of hydrolysis has led to the theory that degradation is not facilitated by enzymatic catalysis, or at least not during the initial loss of molecular weight. Hydrolysis is affected by 5 many factors including crystallinity, molecular weight, polydispersity, sterilization process, geometry of the device, total surface area exposed to interstitial fluid, sight of implantation, etc. Although many functions affect biodegradation, hydrolysis has generally been identified to proceed in four main steps i.e., hydration, strength loss, structural integrity loss, and mass loss.

- 10 The closed cell pores of the PMF and CESP processes may exasperate problems associated with heterogeneous degradation by providing multiple isolated chambers separated by a thin membrane. These thin membranes may expedite the movement of body fluids deep into the implant where they may pool for a prolonged period of time isolated from interstitial turnover.
- 15 In addition, the pores produced by these, and similar, processes typically have uniform or smooth surfaces between the matrix juncture (similar to that of honeycomb structures). Even if these processes were able to yield pores with open architectures, the smooth walls would not be conducive to cell attachment.
- 20 Accordingly, there exists a need for homogenous, mass-producible, higher strength, resorbable implants with large pores. The pores may be modeled (i.e., the surfaces made rough or irregular) or intercommunicating and/or foster cell attachment. Embodiments of the current invention address these and other shortcomings in the prior art.

25

#### DISCLOSURE OF INVENTION

The present invention provides a resorbable porous structure for healing tissue defects comprising a porous polymer body produced from a process utilizing an SCF but without, in a preferred embodiment, any nucleating aids or fillers.

30

In yet another embodiment, the present invention relates to an improved porous implant wherein the pores of the implant present a modeling material or agent on their surfaces. This "second" material provides a textured or roughened face to the internal surfaces of pores. Additionally, this second material can be incorporated in sufficient quantity to, among other

things, create a microporous network connecting interior closed cell pores with each other as well as the exterior of the device.

In yet another embodiment, the structure is reinforced with a strengthening agent, as will be 5 discussed later.

Certain polymers are very thermally sensitive and extended residence time within melt processing equipment (e.g., PMF equipment) can lead to extensive molecular weight degradation. Other polymers have very narrow processing windows where on the high end of a 10 narrow range the polymer burns and on the low end of the range the polymer does not flow effectively and high stress conditions are created in the final part. By using a gas or solvent to plasticize the polymer, processing temperatures, pressures and time can be reduced. For example, when processing resorbable polymers (e.g. polylactide, polyglycolide, polycaprolactone, etc.), this reduction in processing temperature, pressure and time can help to 15 preserve the molecular weight of the final product. By using described processes for this invention, these polymers can be used for creating large low-stress mass-produced resorbable medical devices.

PMF and PSPC (Phase Separation Polymer Concentration) (as described later) processes may 20 appear complex and varied but in actuality produce similar results. It is recognized that there exists other processes that are known in the art, which also produce analogous systems and results. These alternate processes are incorporated herein, to the extent practicable.

In the PMF process, the nucleating agent, if any, can be mixed into a gas permeated plasticized 25 polymer. The gas (e.g. air, oxygen, carbon dioxide, nitrogen, argon, or any inert gas, including combinations thereof) trapped within the polymer begins to expand as the pressure external to the polymer is reduced. As the gas expands it attempts to create uniformly dispersed homogeneous spherical pores. The growth of the pores is disrupted as the walls defining the pores thin to the point that the nucleating agent begins to protrude and therefore the nucleating 30 agent may act as a "modeling agent". As the gas continues to expand the modeling agent particles begin to interfere with each other and/or the expanding pore walls, and force the pore to take on an irregular shape.

In the PSPC process, the modeling agent is dispersed within a polymer solvent solution. The temperature of the mixture is lowered until crystals form within the solution. As the crystals grow they force the polymer into a smaller and smaller area similar to the expanding gas in the PMF process. The growth of the crystals is disrupted as they come in contact with the 5 modeling agent. As the crystals continue to grow they press the modeling agent particles in contact with each other and are thus forced to grow around the particles in an irregular fashion. After solidification vacuum or leaching, a chilled non-solvent removes the solvent crystals.

By varying the ratio of polymer to modeling agent in the PMF and PSPC processes, the 10 porosity, pore surface texture and geometry of the matrix may be controlled; wherein matrix is polymer, molding agent and porosity combined. Low polymer constituent concentrations combined with longer processing times allows the growth of large pores, thereby affecting mechanical and physical properties. The rate at which the pores grow (via gas expansion or crystal growth, as appropriate) can determine where in the polymer mass the modeling agent is 15 located. Slow growth of pores allows the modeling agent to migrate within the thinning polymer walls and remain covered or encapsulated [see (Figures 8-10). Rapid expansion of the pores does not allow sufficient time for the modeling agent to migrate within the walls resulting in partial exposures of the modeling agent (see Figures 11-13). The modeling agent may also control physical and biologic properties, as will be described later. Examples of 20 polymers useful for current invention are listed in Table 1.

Table 1: Examples and Subtypes of Biobioresorbable Polymers for Construction of the Device of the Current Invention:

25	Alginate
	Aliphatic polyesters
	Bioglass
	Cellulose
	Chitin
30	Collagen
	Types 1 to 20
	Native fibrous
	Soluble
	Reconstituted fibrous

- Recombinant derived
- Copolymers of glycolide
- Copolymers of lactide
- Elastin
- 5 Fibrin
- Glycolide/l-lactide copolymers (PGA/PLLA)
- Glycolide/trimethylene carbonate copolymers (PGA/TMC)
- Glycosaminoglycans
- Hydrogel
- 10 Lactide/tetramethylglycolide copolymers
- Lactide/trimethylene carbonate copolymers
- Lactide/ε-caprolactone copolymers
- Lactide/σ-valerolactone copolymers
- L-lactide/dl-lactide copolymers
- 15 Methyl methacrylate-N-vinyl pyrrolidone copolymers
- Modified proteins
- Nylon-2
- PHBA/γ-hydroxyvalerate copolymers (PHBA/HVA)
- PLA/polyethylene oxide copolymers
- 20 PLA-polyethylene oxide (PELA)
- Poly (amino acids)
- Poly (trimethylene carbonates)
- Poly hydroxyalkanoate polymers (PHA)
- Poly(alkylene oxalates)
- 25 Poly(butylene diglycolate)
- Poly(hydroxy butyrate) (PHB)
- Poly(n-vinyl pyrrolidone)
- Poly(ortho esters)
- Polyalkyl-2-cyanoacrylates
- 30 Polyanhydrides
- Polycyanoacrylates
- Polydepsipeptides
- Polydihydropyrans
- Poly-dl-lactide (PDLLA)

- Polyesteramides
- Polyesters of oxalic acid
- Polyglycolide (PGA)
- Polyiminocarbonates
- 5 Polylactides (PLA)
- Poly-l-lactide (PLLA)
- Polyorthoesters
- Poly-p-dioxanone (PDO)
- 10 Polypeptides
- Polyphosphazenes
- Polysaccharides
- Polyurethanes (PU)
- Polyvinyl alcohol (PVA)
- Poly- $\beta$ - hydroxypropionate (PHPA)
- 15 Poly- $\beta$ -hydroxybutyrate (PBA)
- Poly- $\sigma$ -valerolactone
- Poly- $\beta$ -alkanoic acids
- Poly- $\beta$ -malic acid (PMLA)
- Poly- $\epsilon$ -caprolactone (PCL)
- 20 Pseudo-Poly(Amino Acids)
- Starch
- Trimethylene carbonate (TMC)
- Tyrosine based polymers

25 In certain embodiments, the nucleating agent (or modeling agent) may be left out of the processing mix to allow the pores to grow (e.g. since fewer pores are nucleated they may grow larger). Pores in the range of about 50-500 microns may be used in an implant, but may preferably be about 100-300 microns. It is realized that there may be a strength trade-off with this approach.

30 The modeling agent may also be composed of one or more materials that may have the ability to react with each other to create additional substances within the porosity of the invention. For example, Chitosan and sodium hyaluronate powders can be blended into the polymer and chemically linked to each other within the pores of the invention. This is accomplished by

rapid expansion of the pores resulting in exposure of the two modeling agents after which the pores are flooded with a pH-adjusted fluid. The pH-adjusted fluid dissolves the modeling agents within the pores creating a polyelectrolytic system. Within this system chitosan and hyaluronate become bound to each other and precipitate out of solution as an insoluble 5 hydrogel.

The incorporation of high modulus strengthening components (e.g., polymers, ceramics or 10 metallics) as the modeling agent will affect the strength and toughness of the resulting structure. The strengthening agent may be in various forms (e.g., particulate, fiber or 15 whisker). The incorporation of these strengthening components improves the strength, such that the pore size may be increased to allow inward cell migration, while retaining or improving the mechanical properties (when compared with a small pore implant without a strengthening component). Additionally, the same modeling agent used to affect the physical 20 properties of the implant can also affect its biologic properties. Hydroxyapatite would not only improve the strength of the implant, but also be capable of, for example, extracting endogenous 25 growth factors from the host tissue bed while functioning as a microporous conduit facilitating movement of interstitial fluid throughout the isolated porosities of the device. Examples of materials useful as modeling agents are listed in Table 2.

20 Table 2: Examples of Materials that may be Utilized as Modeling Agents of the Current Invention:

Alginate  
Bone allograft or autograft  
25 Bone Chips  
Calcium  
Calcium Phosphate  
Calcium Sulfate  
Ceramics  
30 Chitosan  
Cyanoacrylate  
Collagen  
Dacron  
Demineralized bone

Elastin

Fibrin

Gelatin

Glass

5 Gold

Glycosaminoglycans

Hydrogels

Hydroxy apatite

Hydroxyethyl methacrylate

10 Hyaluronic Acid

Liposomes

Mesenchymal cells

Microspheres

Natural Polymers

15 Nitinol

Osteoblasts

Oxidized regenerated cellulose

Phosphate glasses

Polyethylene glycol

20 Polyester

Polysaccharides

Polyvinyl alcohol

Platelets, blood cells

Radiopacifiers

25 Salts

Silicone

Silk

Steel (e.g. Stainless Steel)

Synthetic polymers

30 Thrombin

Titanium

Tricalcium phosphate

The modeling agent can serve multiple purposes which may include but are not limited to:

1. creating a textured surface on the internal surfaces defining the pores;
2. creating a microporous conduit system between pores;
3. reaction-extraction of endogenous growth factors;
- 5 4. carrying and/or delivering drugs, biologically active or therapeutic agents;
5. function as a drug, biologically active or therapeutic agent;
6. modifying mechanical properties (e.g. strength, flexibility, etc);
7. function as an in-vivo leachate to increase the overall porosity.

10 The irregular pore surfaces formed by the modeling agent serves multiple purposes which may include but are not limited to:

1. increased surface area provides greater numbers of anchorage points for cell attachment;
2. increased surface area permits modification to the leaching rate of drugs or other 15 therapeutics;
3. textured surfaces increase quantity of material that can be coated on the interior pore surfaces;
4. irregular surfaces increase the resistance to flow through the implant.
5. engineered surfaces can affect how cells attach, thereby modifying the resulting tissue 20 that is generated.
6. engineered or roughened surfaces can alter the overall pore geometry, which can affect stresses on differentiating cells, thereby dictating cell differentiation modalities.

Additional materials may also be used at the time of manufacture to control the process output 25 (e.g. plastisizers, surfactants, dyes, etc.) For example, processing the polymer with stearic agents will cause the thinning of matrix between the pores, which is most easily penetrable, or rapidly resorbing, following implantation. This will result in a device with high strength, and interconnected pores, which will afford easier migration of cells through the implant.

30 In yet another embodiment, the polymer and modeling agent, as well as the pores, once formed, can be invested with drugs or other biologically active or therapeutic agents including cells and cellular components (together "therapy") for rapid or slow delivery, as will be discussed. Additionally, microspheres may be incorporated for an additional mode of therapy delivery, as will be discussed. The methods of therapy delivery contemplated by the various

embodiments of the current invention include: delivery from the polymer constituent, delivery from the pores, delivery from the modeling agent, and/or delivery via microspheres, including any combination of the preceding modalities. These therapies may treat any underlying condition, which necessitated the implant or procedure, and/or the therapy may treat or support 5 the ingrowing or regenerated tissue. Examples of materials that can be incorporated into and/or delivered by the implant are listed in Table 3.

Table 3: Examples with Some Sub-types of Biological, Pharmaceutical, and other Therapies that can be Incorporated into and/or Delivered *via* the Device in Accordance with the Present

10 Invention

Cellular Material Deliverable via this Invention

- Adipose cells
- Blood cells
- 15 Bone marrow
- Cells with altered receptors or binding sites
- Endothelial Cells
- Epithelial cells
- Fibroblasts
- 20 Genetically altered cells
- Glycoproteins
- Growth factors
- Lipids
- Liposomes
- 25 Macrophages
- Mesenchymal stem cells
- Progenitor cells
- Reticulocytes
- Skeletal muscle cells
- 30 Smooth muscle cells
- Stem cells
- Vesicles

Some Sub-types of Biological, Pharmaceutical, and other Therapies

Adenovirus with or without genetic material

Angiogenic agents

Angiotensin Converting Enzyme Inhibitors (ACE inhibitors)

5 Angiotensin II antagonists

Anti-angiogenic agents

Antiarrhythmics

Anti-bacterial agents

10 Antibiotics

*Erythromycin*

*Penicillin*

Anti-coagulants

*Heparin*

Anti-growth factors

15 Anti-inflammatory agents

*Dexamethasone*

*Aspirin*

*Hydrocortisone*

Antioxidants

20 Anti-platelet agents

*Forskolin*

Anti-proliferation agents

Anti-rejection agents

*Rapamycin*

25 Anti-restenosis agents

Antisense

Anti-thrombogenic agents

*Argatroban*

*Hirudin*

30 *GP IIb/IIIa inhibitors*

Anti-virus drugs

Arteriogenesis agents

*acidic fibroblast growth factor (aFGF)*

*angiogenin*

*angiotropin*  
*basic fibroblast growth factor (bFGF)*  
*Bone morphogenic proteins (BMP)*  
*epidermal growth factor (EGF)*  
*fibrin*  
*granulocyte-macrophage colony stimulating factor (GM-CSF)*  
*hepatocyte growth factor (HGF)*  
*HIF-1*  
*Indian hedgehog (Inh)*  
*insulin growth factor-1 (IGF-1)*  
*interleukin-8 (IL-8)*  
*MAC-1*  
*nicotinamide*  
*platelet-derived endothelial cell growth factor (PD-ECGF)*  
*platelet-derived growth factor (PDGF)*  
*transforming growth factors alpha & beta (TGF-.alpha., TGF-beta.)*  
*tumor necrosis factor alpha (TNF-.alpha.)*  
*vascular endothelial growth factor (VEGF)*  
*vascular permeability factor (VPF)*  
ia  
locker  
clotting factor  
morphogenic proteins (BMP)  
m channel blockers  
ogens  
  
*Stem cells*  
*Bone Marrow*  
*Blood cells*  
*Fat Cells*  
*Muscle Cells*  
*Umbilical cord cells*

## Chemotherapeutic agents

*Ceramide**Taxol**Cisplatin*5           *Paclitaxel*

## Cholesterol reducers

Chondroitin

Clopidegrel (e.g., plavix)

Collagen Inhibitors

10           Colony stimulating factors

Coumadin

Cytokines prostaglandins

Dentin

Etretinate

15           Genetic material

Glucosamine

Glycosaminoglycans

GP IIb/IIIa inhibitors

*L-703,081*

20           Granulocyte-macrophage colony stimulating factor (GM-CSF)

Growth factor antagonists or inhibitors

Growth factors

*Autologous Growth Factors*    *B-cell Activating Factor (BAFF)*25           *Bovine derived cytokines*    *Cartilage Derived Growth Factor (CDGF)*    *Endothelial Cell Growth Factor (ECGF)*    *Epidermal growth factor (EGF)*    *Fibroblast Growth Factors (FGF)*30           *Hepatocyte growth factor (HGF)*    *Insulin-like Growth Factors (e.g. IGF-I)*    *Nerve growth factor (NGF)*    *Platelet Derived Growth Factor (PDGF)*    *Recombinant NGF (rhNGF)*

*Tissue necrosis factor (TNF)*  
*Tissue derived cytokines*  
*Transforming growth factors alpha (TGF-alpha)*  
*Transforming growth factors beta (TGF-beta)*  
5           *Vascular Endothelial Growth Factor (VEGF)*  
*Vascular permeability factor (UPF)*  
*Acidic fibroblast growth factor (aFGF)*  
*Basic fibroblast growth factor (bFGF)*  
*Epidermal growth factor (EGF)*  
10           *Hepatocyte growth factor (HGF)*  
*Insulin growth factor-1 (IGF-1)*  
*Platelet-derived endothelial cell growth factor (PD-ECGF)*  
*Tumor necrosis factor alpha (TNF-.alpha.)*

Growth hormones

15           *Heparin sulfate proteoglycan*  
*HMC-CoA reductase inhibitors (statins)*

Hormones

*Erythropoietin*

Immxoidal

20           *Immunosuppressant agents*

*inflammatory mediator*

*Insulin*

*Interleukins*

*Interlukins*

25           *Interlukin-8 (IL-8)*

*Lipid lowering agents*

*Lipo-proteins*

*Low-molecular weight heparin*

*Lymphocites*

30           *Lysine*

*MAC-1*

*Morphogens*

*Bone morphogenic proteins (BMPs)*

*Nitric oxide (NO)*

Nucleotides  
Peptides  
PR39  
Proteins  
5 Prostaglandins  
Proteoglycans  
*Perlecan*  
Radioactive materials  
*Iodine - 125*  
10 *Iodine - 131*  
*Iridium - 192*  
*Palladium 103*  
Radio-pharmaceuticals  
Secondary Messengers  
15 *Ceramide*  
Signal Transduction Factors  
Signaling Proteins  
Somatomedins  
Statins  
20 Stem Cells  
Steroids  
Thrombin  
Sulfonyl  
Thrombin inhibitor  
25 Thrombolytics  
Ticlid  
Tyrosine kinase Inhibitors  
*ST638*  
*AG-17*  
30 Vasodilator  
*Histamine*  
*Forskolin*  
*Nitroglycerin*  
Vitamins

*E**C*

Yeast

5

The resulting embodiments of this invention will be useful in the improved repair and regeneration of various soft tissue (e.g. tendon, muscle, skin) and hard tissue (e.g. bone, cartilage) types. Furthermore, it is contemplated that organs or sections thereof (e.g., liver, a heart valve, etc., see Table 4) may also be re-grown or regenerated with implants incorporating 10 the technology of this invention.

Table 4: Examples of tissues and procedures potentially benefiting from the present invention

Ankle reconstruction

15 Artery

Biopsy

Bone

Bone biopsy

Bone tissue harvest

20 Burn treatment

Bypass surgery

Cardiac catheterization

Cartilage

Compression fractures

25 Cosmetic Surgery

Dental

Dura

Elbow reconstruction

Foot reconstruction

30 Gall bladder

Hand reconstruction

Heart

Heart valve replacement

Hip reconstruction / replacement

Kidney

Knee reconstruction / replacement

Ligament

Liver

5 Long bone fixation

Lung

Maxillofacial reconstruction/repair

Meniscus

Mosaicplasty

10 Muscle

Nerves

Osteotomy

Pancreas

Ridge augmentation

15 Shoulder reconstruction

Skin

Spinal arthrodesis

Spinal fixation/fusion

Tendon

20 Third molar extraction

Topical wound

Trauma repair

Wrist reconstruction

25 Suitable materials, and additives, for the polymer constituent of these various embodiments includes, but is not limited to, those listed in the above referenced tables. Various resorbable polymers are contemplated by this invention, but components or constituents may also be made of non-resorbable materials, as well. In this regard, In these various embodiments, as well as the balance of the specification and claims, the term "resorbable" is frequently used. There  
30 exists some discussion among those skilled in the art, as to the precise meaning and function of resorbable materials (e.g., polymers, ceramics), and how they differ from bioabsorbable, absorbable, bioresorbable, biodegradable, and bioerodable materials. The current disclosure contemplates all of these materials, modalities, or mechanisms, and considers them as

equivalent with regard to the function of the current embodiments, even though these processes may be proved to differ significantly in practice, as they are similar in objective and result.

#### BRIEF DESCRIPTION OF THE DRAWINGS

5

Figure 1 shows the process by which pores having a textured surface grow into irregular shapes. The drawings focus in on 3 time points in a dynamic process (Figures 1A-B, 1C-D, 1E-F). Figure 1A shows the genesis of pores 110 in the polymer 100 filled with a modeling agent 120. The pores 110 are the result of expanding gas, vapors, or crystals. Figure 1B fills 10 in the polymer and modeling agent with a solid black color 190 so that the shape and orientation of the pores 110 can be easily identified. Figure 1C shows the expanding pores 150 coming in contact with modeling agent 140 while pushing polymer 130 out of the way. Figure 1D fills in the polymer and modeling agent with a solid black color 190 so that the texturing of the pores 150 can be easily identified. In figure 1E, the modeling agent particles 170 has been 15 pushed together by the further expanding pores 180. As the modeling agent particles 170 interfere with each other the pores 180 are forced into irregular shapes. The polymer 160 separating the pores has now been squeezed into thin partitions.

Figures 2 and 3 are Scanning Electron Microscope (SEM) images of porous polymer constructs 20 not using a modeling agent, showing a smooth flowing surface, and regularly shaped pores.

Figure 4 shows a SEM image of a porous polymer construct using an insufficient quantity of particulate to be classified as a modeling agent. showing smooth flowing surfaces and regularly shaped pores.

25

Figure 5 demonstrates a construct containing approximately the minimal amount of particulate to be considered a modeling agent. Notice the textured surface and weakly irregular pore structure.

30 Figures 6 and 7 demonstrate constructs containing sufficient quantities of particulate material to be classified as, and have the desired effect of, modeling agents. Notice the highly textured surfaces and large irregular pores resulting from the modeling agents presence.

Figures 8-10 show constructs demonstrating the use of microspheres as a modeling agent to create irregular pores with a textured surface wherein the modeling agent is embedded into and covered by the polymer.

5 Figures 11-13 show constructs demonstrating the use of microspheres as a modeling agent to create irregular pores with a textured surface wherein the modeling agent is held on the surfaces of the pore walls.

Figure 14 shows a cross-section of a bone screw, as an example of an application of such a 10 product created by this process.

#### BEST MODE FOR CARRYING OUT THE INVENTION

15 An ideal tissue repair/treatment/prosthetic device should possess various of the following properties: (1) it should be chemically biocompatible; (2) it should be partially if not completely resorbable so that the patient's own tissue ultimately replaces at least a portion of the device; (3) it should be porous to allow the infiltration of cells over time; (4) the porosity should provide it with a high surface area to mass ratio for cell attachment and delivery of 20 therapeutics; (5) despite the porosity, it should provide a high degree of structural integrity in order to support, fixate, or treat surrounding tissues until the patient's own bone/tissue heals; (6) the device should have the ability to incorporate additives used to enhance the mechanical or biochemical performance of the device (e.g. strengthening agents, cells, drugs, biomolecules, other agents); and, (7) the device should be mass manufacturable to be able to 25 provide the product at a reasonable price to the consumer. The various embodiments of the current invention address these properties.

The basic PMF process entails four general steps: 1) gas dissolution, 2) nucleation, 3) cell growth, and 4) shaping. During gas dissolution, a blowing agent or supercritical fluid (e.g., 30 CO<sub>2</sub> or N<sub>2</sub>) is injected into molten polymer (together the "chamber material"), in a pressurized process chamber. During nucleation, the gas, which is in solution within the polymer melt, comes out of solution to form a suspension of bubbles within the melt (i.e., acts as a "pore induction fluid"). This occurs as a result of a change in the conditions that affect the solubility of the gas within the polymer melt. For example, a rapid pressure drop or temperature change

would affect gas solubility. In some instances, a nucleating agent such as talc is added to the chamber material to promote the formation of a nucleation site. As such, the processing conditions and the presence of a nucleating agent can affect, and therefore lead to control of, the cell growth. The shaping of the final part is controlled by the mold or by some type of final 5 post processing (e.g. machining).

In a preferred embodiment, the improved process of the current invention entails the combining of a system for delivering controlled gas dispersion with a system for producing the porous component in its final form. The component may be produced by one of several methods 10 traditionally used in the manufacture of plastic products. These include injection molding, extrusion, and blow molding.

The gas delivery unit provides a high pressure, accurately metered flow of gas that has reached a stage of Supercritical Flow (SCF). This gas in its SCF state is then delivered to the plastic 15 process equipment at a point in the melt flow of the plastic material that has been determined to produce a final molded or extruded component with an optimized degree of porosity. The addition of a modeling material (as previously described), at this stage or earlier, may result in the formation of irregular pores with a textured surface.

20 In various of these embodiments, the optimization of this system includes the balancing of three conditions: 1. The gas blowing agent chosen may be introduced in amounts higher than conventionally used in foaming applications and must be completely dissolved in the polymer before pressure is lowered; 2. The blowing agent or SCF gas stays in solution in the melt flow by maintaining a consistent pressure profile; 3. There must be a high rate of change of 25 solubility versus pressure.

The gas delivery system must introduce the proper amount of SCF gas into the melt flow in the plasticising unit of the injection molding or extrusion equipment to create the desired effect on the melt flow. This gas must be introduced at a pressure that is higher than pressure existing in 30 the plasticising unit. In a preferred embodiment, the chamber material may be heated to improve flowability or to tailor the resulting porosity. Heat may be supplied to the chamber material while it is under pressure in the chamber and/or while it is being expanded in the mold.

Both injection molding and extrusion or blow molding applications of the PMF system should require customization of a standard plasticizing unit to allow creation of a homogeneous and single-phase polymer melt solution, which, in a preferred embodiment, contains a modeling agent. Changes to tooling may be required to optimize production of specific components. In 5 addition, the software that controls machine cycle functions of an injection molding or other processing system may need to be modified.

In yet another embodiment, the process includes subjecting the polymer and any modeling agent to solvent vapors under high pressure. The solvent vapors penetrate and plasticize the 10 polymer without the addition of high heat. The polymer is then rapidly subjected to reduced pressure thereby boiling off the solvent vapors, expanding the polymer and leaving behind a porous structure. Solvents with low boiling points are favorable in this process (e.g. acetone, tetrahydrofuran, etc.)

15 In yet another embodiment, the modeling agent is dispersed within a polymer solvent solution. The temperature of the mixture is lowered until crystals form within the solution. As the crystals grow they force the polymer into a smaller and smaller area similar to the expanding gas in the PMF process. The growth of the crystals is disrupted as they come in contact with the modeling agent. As the crystals continue to grow they press the modeling agent particles in 20 contact with each other and are thus forced to grow around the particles in an irregular fashion. After solidification vacuum drying or leaching in a chilled non-solvent removes the solvent crystals.

In addition to catalyzing the formation of irregular shaped pores with a textured surface, a 25 preferred embodiment uses the modeling agent as a strengthening component. The strengthening components are added to the matrix, thereby increasing strength and/or toughness. These strengthening components may be polymers, resorbable or non-resorbable, which may be suitable for primary matrix components themselves (but vary in a mechanical or physical property from the primary polymer); or the strengthening component may be non- 30 polymeric (e.g., ceramic).

There are numerous ceramic systems that display both biocompatibility and degradability. One application of devices made with the process of this invention is devices for repair of bone. In the body, the bone itself is the natural storehouse of minerals. The major mineral

component of bone is hydroxyapatite, a form of calcium phosphate. Other calcium phosphate salts in bone include monetite, brushite, calcium pyrophosphate, tricalcium phosphate, octocalcium phosphate, and amorphous calcium phosphate. Additionally, bone contains calcium carbonates. Hydroxyapatites and tricalcium phosphates are the most widely studied of the calcium phosphates, which have calcium to phosphate ratios of between 1.5 and 1.67, respectively. Calcium phosphate,  $\text{Ca}_{10}(\text{PO}_4)_6(\text{OH})_2$ , is known as a physiologically acceptable biomaterial which is useful as a hard tissue prosthetic. Another calcium mineral used as a bone replacement material is calcium sulfate. Each of these materials either alone or in combination with other materials would serve as suitable strengthening agents. In addition, it is recognized that other osteoinductive, osteoconductive, and inert materials may be suitable for the strengthening agent of the present invention.

Alternatively, strengthening agents may comprise fibers, whiskers, platelets or other oriented additions. These agents also may be resorbable, non-resorbable, or even non-polymeric in composition.

Figure 14 shows a cross-section of an implantable screw (e.g. a bone screw) which may be manufactured by the current invention. The typical screw 200 comprises a body 210 with threads 220 or other attachment or securement means (e.g. barbs, etc.), not shown. The screw may have a geometry to accommodate an insertion device, for example a slot 230 or a hexagonal indentation, etc. (not shown) such screw may have a pointed or semi-pointed end 240, or it may be blunt (not shown). Various other fixation and reconstructive devices are contemplated by this invention, including but not limited to fixation plates, rods, pins, rivets, anchors, cages, brackets, etc.

25

The methods of therapy delivery contemplated by the various embodiments of the current invention include: delivery from the polymer constituent, delivery from the pores, delivery from the modeling agent, delivery from a coating, and/or delivery via microspheres, including any combination of the preceding modalities.

30

Polymer constituent therapy delivery may be through various mechanisms, including but not limited to, therapy incorporated into the polymer constituent by physical entrapment or by conjugation of the therapy with the monomer or polymer.

Therapy delivery may come from the pores, as release from physical entrapment of the therapy from an enclosed pore, it may come from material adsorbed or loosely adhering to the surface of enclosed or interconnected pores, or it may stay suspended within the pores of the implant awaiting contact with cells entering the pores.

5

It is recognized that each of the delivery modes could result in different delivery rates. That is, therapy may evolve more rapidly from interconnected pores, than from isolated pores, which may in-turn release therapy faster than any therapy delivered by the polymer constituent (i.e., as it degrades).

10

In one embodiment the therapy is co-mingled with the various other constituents and components prior to the processing. This allows for some concentration of the therapy to remain in the polymer constituent, while some of the same therapy migrates or precipitates into the porous region of the matrix. An equilibrium phase diagram for the components and 15 constituents would allow the tailoring of the concentration of therapy in each region (i.e., pore or polymer constituent), additionally, therapies with low solubility in either component will aid preferential placement of therapy. Therapy composition, PMF process pressure-temperature parameters, and time, among other variables, will affect the final location and concentration of the therapy.

20

Addition of a secondary therapy, or other active or inactive agent, may alter the solubility of a primary therapy in either region, thereby altering primary therapy placement.

Alternatively, a secondary therapy may be added because of its complementary therapeutic 25 effect, or because of its preference to precipitate in an alternate region of the matrix (compared with the primary therapy). Any plurality of therapies are deliverable by these techniques.

The therapies may be of various states (i.e., solid, liquid, gas, plasma, etc.), prior to introduction, into the pore forming process; this may affect their ultimate solubility, and it is 30 recognized that the therapy state in the finished matrix may not be the same as what was added.

In some instances it may be beneficial to utilize multiple gases with the polymer processing system. For example, each specific gas could be utilized to carry one or more therapies. The incorporation of the gas into the polymer solution could be customized to optimize the delivery

of the therapy. Multiple gases could also be used to create a multi-phasic system of cell sizes and distribution within the final device.

The subject invention can also incorporate cellular additions. Cellular material may be 5 delivered in combination with, or independent of drug delivery. The cellular material may be present on the inside of the implant, outside of the implant, or incorporated within the implant in a porous construct, or other such embodiment. The cellular material may be added to the implant immediately prior to insertion into the body of the living being or may be grown on the implant in the days or weeks prior to implantation so more mature cells are in place when the 10 device is implanted. If the cells are seeded on the implant several days or weeks prior to implantation, the implant may be placed in an in-vitro setup that simulates the in-vivo environment (e.g., where blood or a blood substitute medium is circulated at appropriate pressure and temperature) to acclimate the cells to the host environment. The cell-seeded implant may be incubated in this in-vitro setup at physiologic conditions for several days prior 15 to implantation within the body. Cell seeding techniques have been developed for a variety of cell types. Examples of cellular material that may be seeded on implant include those listed in Table 3.

It is also conceived that a source of cytokines or growth factors (e.g. platelet-rich plasma, bone 20 marrow cells, etc.), whether synthetic, autologous or allograft in origination, can be delivered with the devices of this invention (e.g. incorporated into the implant or delivered via the delivery system). For example, it is known that one of the first growth factors to initiate the cascade leading to bone regeneration are platelet-derived growth factor (PDGF) and transforming growth factor-beta (TGF- $\beta$ ). Each of these growth factors is derived from the degranulation of platelets 25 at the wound, defect or trauma site. It is believed that increasing the presence of such platelets at the wound or trauma site can increase the rate of healing and proliferation needed to regenerate bone.

The application of platelet-rich plasma (PRP) or other autologous blood components is one 30 way to deliver a highly concentrated dose of autologous platelets. PRP is easily prepared by extracting a small amount of the patient's blood and processing it, for example using gradient density centrifugation, to sequester and concentrate the patient's platelet derived growth factors.

Bone marrow may also be added to the present invention to aid in healing and repair.

It is further contemplated that gene therapy may be delivered via the various embodiments of this device. Gene therapies are currently of two primary types, and are both together  
5 hereinafter referred to as "gene therapy" or "engineered cells", however others are anticipated; the primary methodologies and basic understandings are described herein (see also table 3).

First, nucleic acids may be used to alter the metabolic functioning of cells, without altering the cell's genome. This technique does not alter the genomic expressions, but rather the cellular  
10 metabolic function or rate of expression (e.g., protein synthesis).

Second, gene expression within the host cell may be altered by the delivery of signal transudation pathway molecules.

15 In a preferred embodiment, mesenchymal stem cells are harvested from the patient, and infected with vectors; currently, preferred vectors include phages or viri (e.g., retrovirus or adenovirus). This preferred infection will result in a genetically engineered cell, which may be engineered to produce a growth factor (e.g., insulin like growth factor (IGF-1)) or a morphogen (e.g., bone morphogenic protein (BMP-7)), etc. (see also those listed in Table 3). Methods of  
20 infection as well as specific vectors are well known to those skilled in the art, and additional ones are anticipated. Following this procedure, the genetically engineered cells are loaded into the implant. Cytokines as described and used herein are considered to include growth factors.

Loading of the cells in this embodiment may be achieved prior to processing, during, or  
25 immediately following the implantation procedure. Loading may be achieved by various methods including, but not limited to, the injection of a solution containing said engineered cells into the implant, by combining said cells with said matrix components prior to fabrication, or following fabrication or implant.

30 The term "microsphere" is used herein to indicate a small additive that is about one to three orders of magnitude smaller (as an approximate relative size) than the implant. The term does not denote any particular shape, it is recognized that perfect spheres are not easily produced. In addition to true spheres, the present invention contemplates elongated spheres and irregularly

shaped bodies. "Nanosphere" is used herein to denote particles, whether spherical or irregular, that are several orders of magnitude smaller than microspheres.

Microspheres can be made of a variety of materials such as polymers, silicone and metals.

5 Biodegradable polymers are ideal for use in creating microspheres for use in these embodiments (e.g., see those listed in Table 1). The release of agents from bioresorbable microparticles is dependent upon diffusion through the microsphere polymer, polymer degradation and the microsphere structure. Although most any biocompatible polymer could be adapted for this invention, the preferred material would exhibit in vivo degradation. It is well  
10 known that there can be different mechanisms involved in implant degradation like hydrolysis, enzyme-mediated degradation and bulk or surface erosion. These mechanisms can alone or combined influence the host response by determining the amount and character of the degradation product that is released from the implant. The most predominant mechanism of in vivo degradation of synthetic biomedical polymers like polyesters and polyamides is generally  
15 considered to be hydrolysis, resulting in ester bond scission and chain disruption. In the extracellular fluids of the living tissue, the accessibility of water to the hydrolysable chemical bonds makes hydrophilic polymers (i.e. polymers that take up significant amounts of water): susceptible to hydrolytic cleavage or bulk erosion. Several variables can influence the mechanism and kinetics of polymer degradation. Material properties like crystallinity,  
20 molecular weight, additives, polymer surface morphology, and environmental conditions. As such, to the extent that each of these characteristics can be adjusted or modified, the performance of this invention can be altered.

In a homogeneous embodiment (i.e., monolithic or composite of uniform heterogeneity) of a  
25 therapy delivering implant material, the device provides continuous release of the therapy over all or some of the degradation period of the device. In an embodiment incorporating microspheres, the therapy is released at a preferential rate independent of the rate of degradation of the matrix resorption or degradation. In certain applications it may also be necessary to provide a burst release or a delayed release of the active agent. The device may  
30 also be designed to deliver more than one agent at differing intervals and dosages, this time-staged delivery also allows for a dwell of non-delivery (i.e., a portion not containing any therapy), thereby allowing alternating delivery of non-compatible therapies. Delivery rates may be affected by the amount of therapeutic material, relative to the amount of resorbing structure, or the rate of the resorption of the structure.

Time-staged delivery may be accomplished *via* microspheres, in a number of different ways. The concentration of therapeutic agent may vary radially, that is, there may be areas with less agent, or there may be areas with no agent. Additionally, the agent could be varied radially, 5 such that one therapy is delivered prior to a second therapy—this would allow the delivery of non-compatible agents, with the same type of sphere, during the same implant procedure. The spheres could also vary in composition among the spheres, that is, some portion of the sphere population could contain one agent, while the balance may contain one or more alternate agents. These differing spheres may have different delivery rates. Finally, as in the preceding 10 example, there could be different delivery rates, but the agent could be the same, thereby allowing a burst dose followed by a slower maintained dose.

Thus since the invention disclosed herein may be embodied in other specific forms without departing from the spirit or general characteristics thereof, some of which forms have been 15 indicated, the embodiments described herein are to be considered in all respects illustrative and not restrictive. The scope of the invention is to be indicated by the appended claims, rather than by the foregoing description, and all changes that come within the meaning and range of equivalency of the claims are intended to be embraced therein.

## Claims

What is claimed is:

- 5 1. A porous polymeric device manufactured with a plasticized melt flow process utilizing a matrix polymer and a fluid, said device being implantable to treat tissue or defects therein; said device comprising a polymer matrix and pores, wherein said pores are about 50 to 500 microns in diameter.
- 10 2. The device of Claim 1, wherein said decompression step is arranged to begin from a vacuum.
3. The device of Claim 1, wherein said pores are arranged substantially throughout said device.
- 15 4. The device of Claim 1, wherein said fluid comprises an inert gas.
5. The device of Claim 1, wherein said fluid comprises air, oxygen, nitrogen, carbon dioxide, argon, or mixtures thereof.
- 20 6. The device of Claim 1, wherein at least a portion of said matrix polymer is resorbable.
7. The device of Claim 1, wherein said device comprises a screw, pin, or plate.
- 25 8. The device of Claim 1, wherein said chamber material is heated during said process.
9. The device of Claim 1, wherein said chamber material further comprises a strengthening agent.
- 30 10. The device of Claim 9, wherein said strengthening agent comprises a polymeric material.
11. The device of Claim 10, wherein said polymeric material comprises fibers, whiskers, particulate, or platelets.

12. The device of Claim 9, wherein said strengthening agent comprises a non-polymeric material.

5 13. The device of Claim 12, wherein said non-polymeric material comprises fibers, whiskers, particulate, or platelets.

14. The device of Claim 12, wherein said non-polymeric material comprises a ceramic or a metallic material.

10

15. The device of Claim 14, wherein at least a portion of said ceramic comprises calcium phosphate or calcium sulfate.

16. The device of Claim 1, wherein said chamber material further comprises a therapy.

15

17. The device of claim 16, wherein said therapy comprises drugs, biologically active agents, cells or cellular components.

18. The device of Claim 1, wherein said chamber material is heated during processing.

20

19. A porous polymeric device manufactured with a plasticized melt flow process, wherein the chamber material consists essentially of a matrix polymer and a fluid, said device being implantable to treat tissue or defects therein; said device comprising a polymer matrix and pores, wherein said pores are about 50 to 500 microns in diameter, with said process

25 comprising at least one decompression step.

20. The device of Claim 19, wherein at least one decompression step serves to expand said fluid; and at least a portion of said pores are induced by expansion of said fluid during said decompression step.

30

21. The device of Claim 20, wherein said decompression step is arranged to begin from a vacuum.

22. The device of Claim 19, wherein said pores are arranged substantially throughout said device.

23. The device of Claim 19, wherein said fluid comprises an inert gas.

5

24. The device of Claim 19, wherein said fluid comprises air, oxygen, nitrogen, carbon dioxide, argon, or mixtures thereof.

25. The device of Claim 19, wherein said process further comprises a compression step 10 occurring prior to said decompression step, wherein said fluid was arranged in said material chamber with said polymer prior to the completion of said compression step.

26. The device of Claim 19, wherein at least a portion of said matrix polymer is resorbable.

15 27. The device of claim 19, wherein said device comprises a screw, pin, or plate.

28. A porous polymeric device manufactured with a plasticized melt flow process, wherein the chamber material consists essentially of a matrix polymer and a fluid, said device being implantable to treat tissue or defects therein; said device comprising a polymer matrix and 20 pores, wherein said device has strength suitable to be used as a structural component.

29. The device of Claim 28, wherein said matrix polymer has no added strengthening agent.

25 30. The device of Claim 28, wherein at least a portion of said matrix polymer comprises a strengthening agent.

31. The device of Claim 28, wherein at least a portion of said matrix polymer is resorbable.

30 32. The device of claim 28, wherein said component comprises a screw, pin, or plate.

33. A porous polymeric device that is implantable to treat tissue or defects therein; said device comprising a polymer matrix, pores, and at least one modeling agent; wherein said pores are of irregular shapes due to interactions with said at least one pore modeling agent.

34. A porous polymeric device that is implantable to treat tissue or defects therein; said device comprising a polymer matrix and pores, wherein said polymer matrix comprises at least one pore modeling agent; wherein said pores are of irregular shapes due to interactions with said 5 at least one pore modeling agent.

35. A porous polymeric device that is implantable to treat tissue or defects therein; said device comprising a polymer matrix, pores, and at least one modeling agent; wherein said pores are of irregular shapes due to interactions with said at least one pore modeling agent during 10 processing.

36. A porous polymeric device that is implantable to treat tissue or defects therein; said device comprising a polymer matrix, pores, and at least one modeling agent; said device being manufactured with at least one decompression step; wherein said pores are of irregular shapes 15 due to interactions with said at least one pore modeling agent during said decompression step.

37. A porous polymeric device that is implantable to treat tissue or defects therein; said device comprising a polymer matrix, pores, and at least one modeling agent and being manufactured with at least one decompression step to expand a pore induction fluid; wherein at 20 least a portion of said pores are induced by expansion of said pore induction fluid during said decompression step, with said pores further being of irregular shape due to interactions with said at least one pore modeling agent during said decompression step.

38. The device of Claim 37, wherein said polymer comprises said pore induction fluid prior 25 to said decompression step.

39. The device of Claim 38, wherein said decompression step comprises a vacuum.

40. The device of Claim 39, wherein said pores are arranged substantially throughout said 30 device.

41. The device of Claim 39, wherein said pores are substantially interconnected.

42. The device of Claim 37, wherein said pore induction fluid is arranged in said polymer simultaneously with said decompression step.

43. The device of Claim 37, wherein said pore induction fluid comprises air, oxygen, 5 nitrogen, carbon dioxide, or argon.

44. The device of Claim 42, wherein said pores are arranged substantially throughout said device.

10 45. The device of Claim 42, wherein said pores are substantially interconnected.

46. The device of Claim 37, wherein said device was manufactured from a process that further comprised a compression step occurring prior to said decompression step, wherein said pore induction agent was arranged in said polymer matrix prior to the completion of said 15 compression step.

47. The device of Claim 37, wherein said at least one pore modeling agent comprises a material with a higher melting point than said polymer matrix.

20 48. The device of Claim 37, wherein said at least one pore modeling agent comprises a material with a higher strength than said polymer matrix.

49. The device of Claim 37, wherein at least a portion of said polymer matrix is resorbable.

1/6

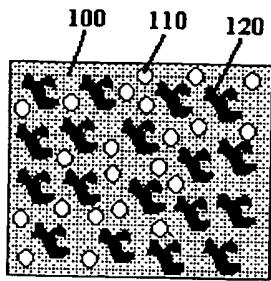


Fig. 1A

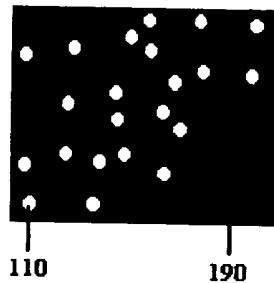


Fig. 1B

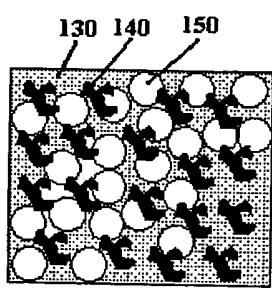


Fig. 1C

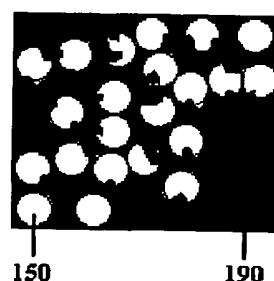


Fig. 1D

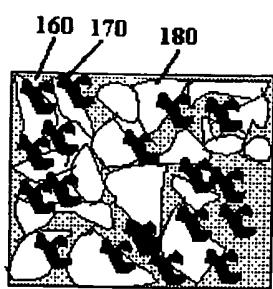


Fig. 1E

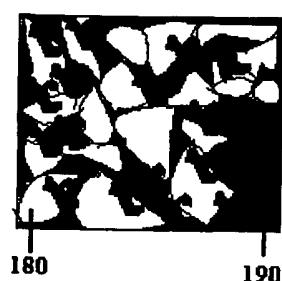


Fig. 1F

2/6

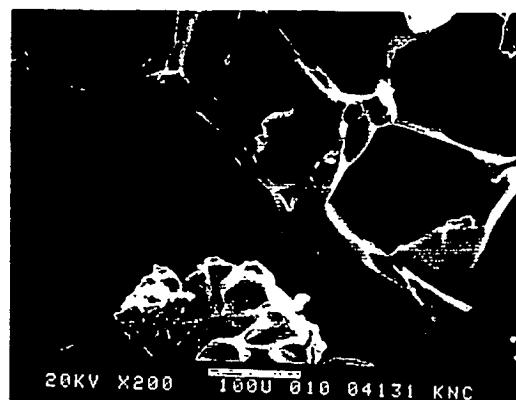


Fig. 2

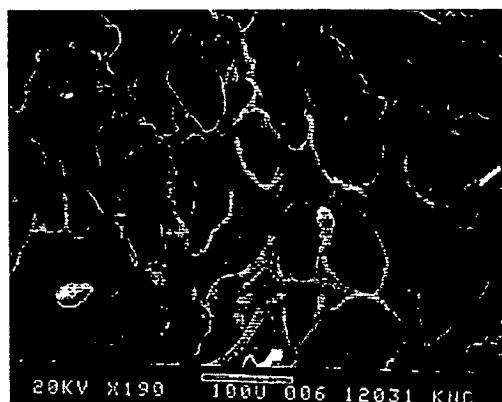


Fig. 3

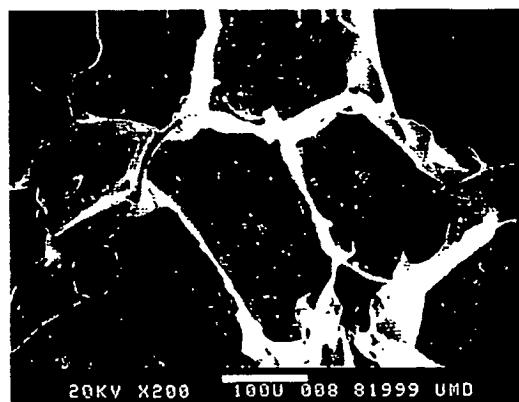


Fig. 4

3/6



Fig. 5

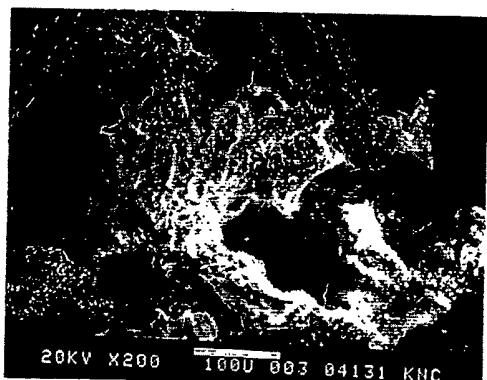


Fig. 6

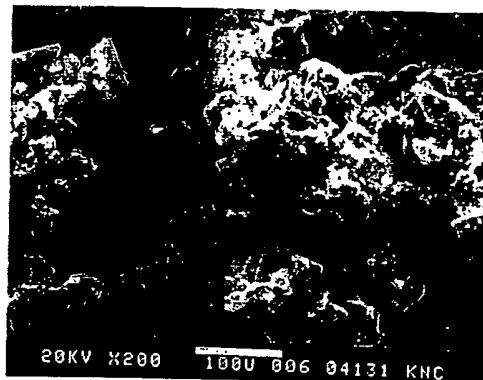


Fig. 7

4/6

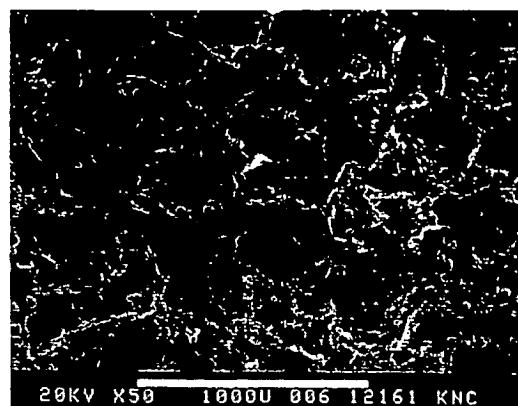


Fig. 8



Fig. 9



Fig. 10

5/6

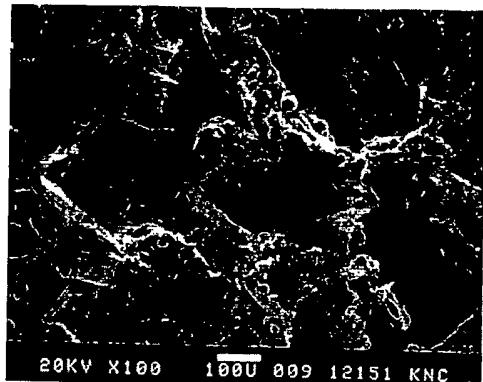


Fig. 11



Fig. 12



Fig. 13

6/6

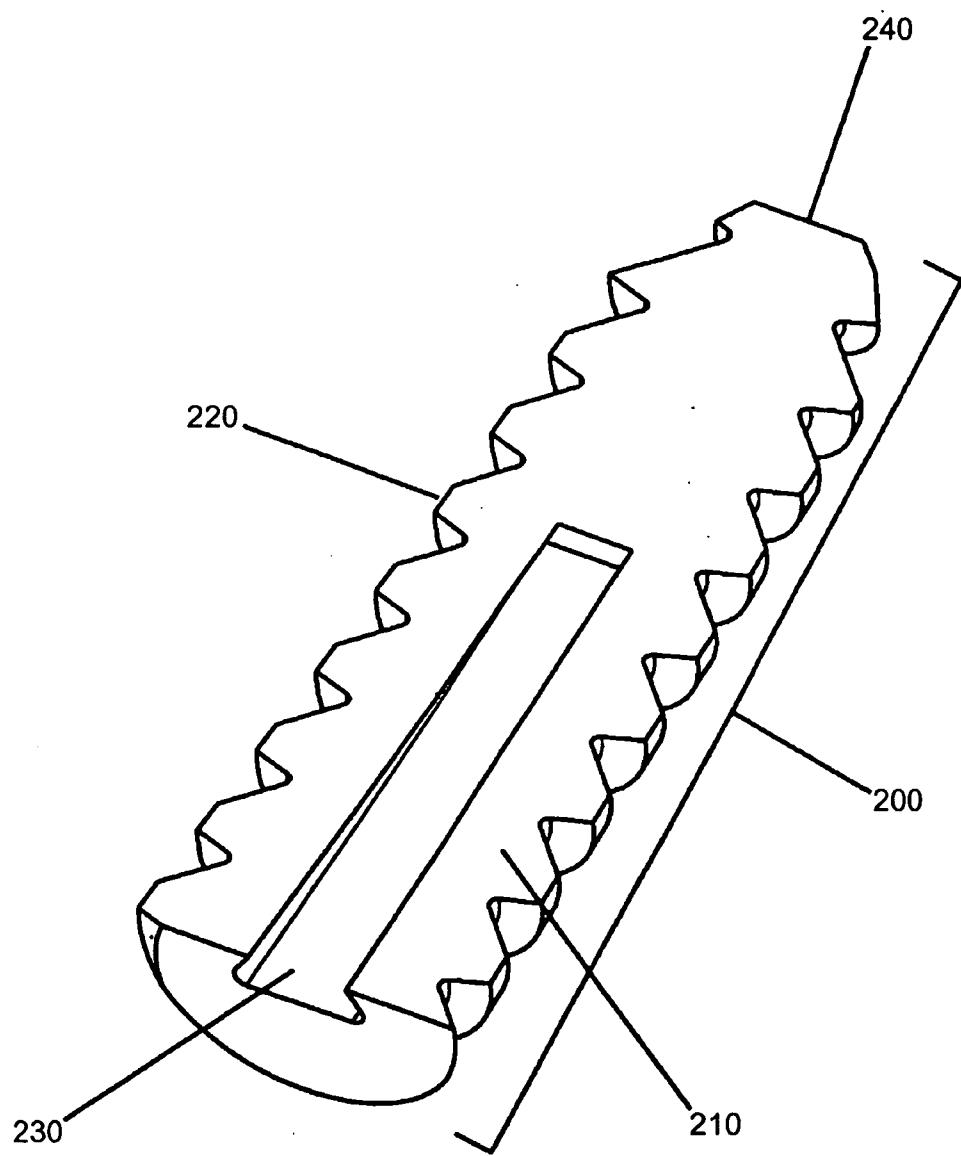


Fig. 14

# INTERNATIONAL SEARCH REPORT

International Application No.  
PCT/US 03/21054

<b>A. CLASSIFICATION OF SUBJECT MATTER</b> IPC 7 A61L27/14 A61L27/44 A61L27/58 C08J9/04			
According to International Patent Classification (IPC) or to both national classification and IPC			
<b>B. FIELDS SEARCHED</b> Minimum documentation searched (classification system followed by classification symbols) IPC 7 A61L C08J			
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched			
Electronic data base consulted during the international search (name of data base and, where practical, search terms used) EPO-Internal, WPI Data, PAJ, EMBASE, BIOSIS, CHEM ABS Data			
<b>C. DOCUMENTS CONSIDERED TO BE RELEVANT</b>			
Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.	
X	US 6 007 580 A (TOERMAELAE PERTTI ET AL) 28 December 1999 (1999-12-28) column 2, line 53 -column 5, line 54 claims --- WO 02 00275 A (GRIFFITHS IAN ;SEARGEANT KENNETH MALCOLM (GB); VICTREX MFG LTD (GB) 3 January 2002 (2002-01-03) page 1, line 2 - line 7 page 5, line 15 - line 32 page 16, line 4 - line 22 page 20, line 13 - line 27 page 29, line 14 -page 32, line 29 examples 4,5 claims --- -/-/	1-49 1-49	
<input checked="" type="checkbox"/> Further documents are listed in the continuation of box C.			
<input checked="" type="checkbox"/> Patent family members are listed in annex.			
* Special categories of cited documents :			
*A* document defining the general state of the art which is not considered to be of particular relevance *E* earlier document but published on or after the international filing date *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) *O* document referring to an oral disclosure, use, exhibition or other means *P* document published prior to the international filing date but later than the priority date claimed			
*T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art. *&* document member of the same patent family			
Date of the actual completion of the international search		Date of mailing of the international search report	
23 October 2003		29/10/2003	
Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016		Authorized officer Fey-Lamprecht, F	

## INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 03/21054

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	MOONEY D J ET AL: "Novel approach to fabricate porous sponges of poly(d,l-lactic-co-glycolic acid) without the use of organic solvents" BIOMATERIALS, ELSEVIER SCIENCE PUBLISHERS BV., BARKING, GB, vol. 17, no. 14, 1 July 1996 (1996-07-01), pages 1417-1422, XP004032715 ISSN: 0142-9612 abstract page 1420, left-hand column, line 9 -page 1421, right-hand column, line 18 ---	1-49
X	HUTMACHER D W: "Scaffolds in tissue engineering bone and cartilage" BIOMATERIALS, ELSEVIER SCIENCE PUBLISHERS BV., BARKING, GB, vol. 21, no. 24, 15 December 2000 (2000-12-15), pages 2529-2543, XP004217417 ISSN: 0142-9612 abstract page 2536, left-hand column, line 18 - line 37 tables 3,4 ---	1-49
X	WO 02 19947 A (FERRO CORP) 14 March 2002 (2002-03-14) page 3, line 3 - line 18 example 1 claims ---	1-49
X	US 5 766 618 A (DEVIN JESSICA ET AL) 16 June 1998 (1998-06-16) example 1 claims ---	1-49
X	EP 1 216 717 A (ETHICON INC) 26 June 2002 (2002-06-26) page 3, line 38 - line 41 page 6, line 6 -page 7, line 10 claims ---	1-49
A	WO 91 09079 A (ERBA CARLO SPA) 27 June 1991 (1991-06-27) page 3, line 6 - line 21 page 4, line 24 -page 5, line 6 page 6, line 7 - line 24 page 8, line 14 -page 9, line 21 claims -----	1-49

**INTERNATIONAL SEARCH REPORT**

Information on patent family members

International Application No

PCT/US 03/21054

Patent document cited in search report		Publication date		Patent family member(s)	Publication date
US 6007580	A	28-12-1999		FI 952884 A AU 708260 B2 AU 6127996 A CA 2217291 A1 DE 69617423 D1 DE 69617423 T2 EP 0831757 A1 WO 9641596 A1 JP 2000515772 T	14-12-1996 29-07-1999 09-01-1997 27-12-1996 10-01-2002 18-07-2002 01-04-1998 27-12-1996 28-11-2000
WO 0200275...	A	03-01-2002		AU 7432201 A WO 0200275 A1	08-01-2002 03-01-2002
WO 0219947	A	14-03-2002		US 6506213 B1 AU 8665301 A WO 0219947 A1	14-01-2003 22-03-2002 14-03-2002
US 5766618	A	16-06-1998		US 5626861 A	06-05-1997
EP 1216717	A	26-06-2002		US 2002120348 A1 AU 762855 B2 AU 9739601 A AU 762895 B2 AU 9739701 A CA 2365376 A1 CA 2365543 A1 EP 1216717 A1 EP 1216718 A1 JP 2002272833 A JP 2002320631 A US 2002127265 A1 US 2003147935 A1	29-08-2002 10-07-2003 27-06-2002 10-07-2003 27-06-2002 21-06-2002 21-06-2002 26-06-2002 26-06-2002 24-09-2002 05-11-2002 12-09-2002 07-08-2003
WO 9109079	A	27-06-1991		DE 69018456 D1 DE 69018456 T2 WO 9109079 A1 EP 0464163 A1 JP 4505775 T	11-05-1995 07-12-1995 27-06-1991 08-01-1992 08-10-1992

**This Page is Inserted by IFW Indexing and Scanning  
Operations and is not part of the Official Record**

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- BLACK BORDERS**
- IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- FADED TEXT OR DRAWING**
- BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- SKEWED/SLANTED IMAGES**
- COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- GRAY SCALE DOCUMENTS**
- LINES OR MARKS ON ORIGINAL DOCUMENT**
- REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- OTHER:** \_\_\_\_\_

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.**

THIS PAGE BLANK (USPTO)